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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ratan K. CHAUDHURI

Confirmation No.: 6979

Serial No.: 10/691,959

Examiner: Patricia A. Leith

Filed: October 24, 2003

Group Art Unit: 1654

Title: METHOD FOR PROTECTION OF SKIN AGAINST SUN-INDUCED
DAMAGE BY ORAL ADMINISTRATION OF AN EXTRACT OF EMBLICA
OFFICINALIS, (syn. PHYLLANTHUS EMBLICA)

RESPONSE TO REQUIREMENT FOR RESTRICTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

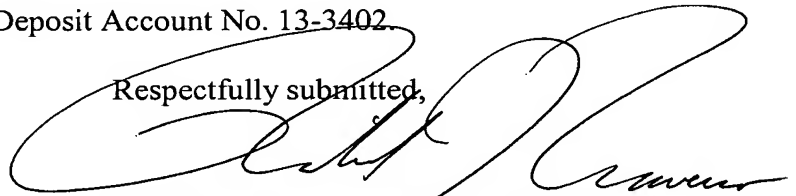
Sir:

In response to the requirement of restriction dated October 6, 2004, applicant elects Group I (claims 1, 9–17, and 22–25) with traverse. Applicant submits the subject matter of Groups I and II are linked such that it would not be an undue burden to examine both the methods of Group I and the products of Group II. The link is clear in that each of the product claims (claims 2–8 and 18) are dependent on claim 1, which is an independent method claim of Group I. In searching the methods for preventing photodamage to the skin with a “therapeutically effective dose” of a formulation comprising an extract of emblica officinalis as the active ingredient, it should not be an undue burden to extend the search to dosage forms suitable for oral administration. Methods for employing an oral dosage should be searched in examining the subject matter of Group I. Therefore, applicant respectfully requests that claims 2–8 and 18 be rejoined with the subject matter of Group I.

The subject matter of Group III is directed to a nutritional supplement or nutritional composition which is linked to the subject matter of Group II in that it is ingestible and contains emblica officinalis extract. It is alleged in the Office Action that the subject matter of Groups II and III employ different extracts of emblica officinalis. No evidence has been presented to support this allegation. Therefore, applicant submits that these claims are linked and the restriction requirement should be amended to combine Groups II and III.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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Attorney Docket No.: EMI-0055

Date: November 8, 2004

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